

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-50055-2021 (O&M)

DATE OF DECISION: APRIL 4, 2022

PARGAT SINGH AND ANOTHER ...PETITIONERS

VERSUS

STATE OF PUNJAB ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. P.S. DHALIWAL, ADVOCATE FOR THE PETITIONERS.
MR. RAMANDEEP SINGH SANDHU, SR.DAG, PUNJAB.
MR. GAZI MOHD. UMAIR, ADVOCATE FOR THE COMPLAINANT.

MANOJ BAJAJ, J.(ORAL)

Petitioners have filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.92 dated 21.8.2021, under Section 326, 182, 193, 194, 211, 120-B IPC, Police Station Longowal, District Sangrur, who are in custody since their arrest on 29.10.2021.

The allegations contained in the FIR as noticed by the Addl. Sessions Judge, Sangrur, in the order dated 11.11.2021, are as under:-

“From the perusal of the file, it transpires that the present case FIR has been registered against the applicants-accused and others on the allegations that initially co-accused Parmjeet Singh got 3 registered the present case FIR on the allegations that when on 17.08.2021 at 08:30 p.m. he was returning to his village on his motorcycle, then his neighbour Nazar Singh, Gurpreet Singh armed with heavy stick (danda); Lovepreet Singh armed with baseball bat; Jagtar Singh armed with iron dah came in front of his motorcycle and encircled him; Jagtar Singh gave a blow of iron dah towards him, upon which he raised his left hand, as a

result of which, the said blow hit on the left hand of his little finger; his little finger was cut off and fell down on the ground. Jagtar Singh gave another blow, which hit under the elbow of his right arm. Then, Malkit Singh and Gurpreet Singh gave blow of baseball bat and heavy stick (danda) on his legs and arms, as a result, he fell down on the earth. Thereafter, they fled away from the spot alongwith their respective weapons. During enquiry on the application moved by Jaswinder Kaur wife of Nazar Singh, it was found that the little finger of the co-accused Paramjit Singh was cut off due to the blow of iron dah by his brother Pargat Singh (bail applicant) as one Gurdit Singh got recorded his statement to the police that on 17.08.2021 at about 9/10 p.m. when he reached at Samadh, he saw Paramjit Singh, Pargat Singh (bail applicant) sons of Labh Singh and Labh Singh (bail applicant) son of Shiam Singh sitting on the road and their swift car of white colour was also parked there; he saw in the torch light of mobile, Labh Singh (bail applicant) caught hold of the left hand of co-accused Paramjit Singh and Pargat Singh (bail applicant) cut off the little finger of left hand of Paramjit 4 Singh with the blow of iron dah.”

Learned counsel for the petitioners has argued that the above mentioned FIR was lodged at the instance of Paramjeet Singh, co-accused and allegations were made against Nazar Singh, Gurpreet Singh, Lovepreet Singh and Jagtar Singh for allegedly causing injuries to the victims. According to him, subsequently, on the basis of enquiry, the injuries suffered by the victims were declared as self-inflicted, whereupon the petitioners alongwith others have been sent to face trial for the above mentioned

offences. According to him, the investigation of the case is complete and the co-accused of the petitioners have already been released on bail, therefore, the petitioner be also released on regular bail.

On the other hand, learned State counsel assisted by SI Raj Singh has opposed the aforesaid prayer, however, it is not disputed that the investigation of the case is complete and the challan stands filed on 23.12.2021. It is also not disputed by him that co-accused of the petitioners is already on regular bail.

Considering the above background, the custody of the petitioners, and the fact that co-accused of the petitioners is already on regular bail, the further detention of the petitioners may not be necessary for any useful purpose, as the trial would take considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioners be released on regular bail in the above case, subject to their furnishing requisite respective bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

April 4, 2022
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No